

**CITY OF FREEPORT  
PLANNING COMMISSION  
Tuesday, May 27, 2014, 6:00 P.M.  
Freeport Police Department, Municipal Courtroom  
430 North Brazosport Boulevard  
Freeport, Texas**

# **AGENDA**

Edward Garcia, Chairman  
Tobey Davenport  
Jesse Aguilar, Jr.

Reuben Cuellar  
Eddie Virgil

NOTICE is hereby given that the Planning Commission of the City of Freeport, Texas will meet in a regular meeting on **Tuesday, May 27, 2014 at 6:00 P.M.** at the Freeport Police Department, Municipal Courtroom, 430 North Brazosport Boulevard, Freeport, Texas to discuss the following:

1. Open Meeting.
2. Invocation.
3. Consideration of approving the May 7th, 2014 minutes.
4. Consider/discuss of requesting City Council to Budget Capital Funds for improvements of W. 8<sup>th</sup> Street between Cherry Street to Navigation Blvd.
5. Consider/discuss requesting City Council to budget capital funds for improvements of Sycamore Street between E. 2<sup>nd</sup> Street and E. 4<sup>th</sup> ½ Streets.
6. Consider/discuss requesting funds from the City for college students to assist in developing a Master Plan for the City.
7. Consider/discuss modifying the RV ordinance.

Adjourn.

**NOTE: ITEMS NOT NECESSARILY DISCUSSED IN THE ORDER THEY APPEAR ON THE AGENDA. THE PLANNING COMMISSION, AT ITS DISCRETION, MAY TAKE ACTION ON ANY OR ALL OF THE ITEMS LISTED.**

I, Delia Munoz, City Secretary, City of Freeport, Texas, hereby certify that this Agenda was posted on the official bulletin board/glass door of City Hall facing the rear parking lot of the building with 24-hour access at 200 West 2<sup>nd</sup> Street, Freeport, Texas on or before **Monday , May 19th, 2014 at 5:00 P.M.**

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Delia Munoz, City Secretary  
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE REMEMBERED, that the Planning Commission of the City of Freeport, Texas met on Wednesday, May 7, 2014 at 6:00 p.m. at the Freeport Police Department Municipal Courtroom 430 North Brazosport, Texas for the purpose of considering the following agenda items:

Planning Commission: Edward T. Garcia  
Reuben Cuellar  
Jesse Aguilar  
Tobey Davenport  
Eddie Virgil

Staff: Jeff Pynes, City Manager  
Wallace Shaw, City Attorney  
Delia Munoz, City Secretary

Visitors: none

Open Meeting.

Mr. Edward T. Garcia called the meeting to order at 6:00 p.m.

Invocation.

Mr. Wallace Shaw offered the invocation.

Consideration of approving the April 22, 2014 minutes.

On a motion by Eddie Virgil, seconded by Tobey Davenport, with all present voting "Aye", The Planning Commission approved the April 22, 2014 minutes.

Presentation by City Manager - Jeff Pynes on truck routes.

Mr. Pynes presented to the Planning Commission a proposed truck route and signage to be used detailing where trucks are permitted and prohibited.

Consider/Discuss modifying truck routes in the City.

Mr. Davenport suggested an alternate route.

Consider/discuss requesting funds from the City for college students to assist in developing a Master Plan for the City.

On a motion by Tobey Davenport, seconded by Eddie Virgil, with all present voting "Aye", the Planning Commission approved requesting funds from the city for college students to assist in developing a Master Plan for the City.

Work Session:

Discussion regarding transportation issues.

Mr. Tobey Davenport requested an item on the Planning Commission agenda for concrete improvements on West 8<sup>th</sup> Street from Cherry to FM 1495.

Mr. Rueben Cuellar requested an item on the Planning Commission agenda for concrete improvements on Sycamore Street from E. 2<sup>nd</sup> Street to E. 4<sup>th</sup> ½.

Discussion regarding general development projects.

The Planning Commission would like City Council to include members of the Planning Commission be involved in any meeting that involved subdivisions, annexations or redevelopment property.

Adjourn.

Chairman Edward Garcia adjourned the Planning Commission meeting at 6:30 p.m.

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Chairman Edward Garcia

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Delia Munoz - City Secretary

## CHAPTER 120: RECREATIONAL VEHICLES

### Section

#### *General Provisions*

- 120.01 Definitions
- 120.02 Parking on streets
- 120.03 Recreational vehicles outside licensed park
- 120.04 Tie-down requirements

#### *Recreational Vehicle Parks*

- 120.20 Location of parks
- 120.21 License issuance; fee
- 120.22 Transfer of license; fee
- 120.23 Appeal from denial of license
- 120.24 Maintenance and operation of parks
- 120.25 Inspection of parks
- 120.26 Violation; suspension; appeal

#### *Cross-reference:*

*Mobile homes and mobile home parks, see Ch. 152*  
*Parks and recreation, see Ch. 98*

### **GENERAL PROVISIONS**

#### **§ 120.01 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**AGENT.** Any person authorized by the licensee of a mobile home park or a recreational vehicle park to operate or maintain such park under the provisions of this chapter.

**COMMON ACCESS ROUTE.** A private way which affords the principal means of access to

individual recreational vehicle spaces or auxiliary buildings in a recreational vehicle park.

**DRIVEWAY.** A minor entrance-way off the common access route within the recreational vehicle park or from a public street into an off-street parking area serving one or more recreational vehicle spaces.

**HUD-CODE MANUFACTURED HOME.** As defined in § 152.01.

**INTERNAL STREET.** Same as **COMMON ACCESS ROUTE.**

**LICENSEE.** Any person licensed to operate and maintain a recreational vehicle park under the provisions of this chapter.

**MOBILE HOME.** As defined in § 152.01 of this code.

**MOBILE HOME PARK.** As defined in § 152.01 of this code.

**OCCUPANT.** Any person who occupies a recreational vehicle which is located in a recreational vehicle park.

**PARKING AREA, OFF-STREET.** A common area within a recreational vehicle park for the parking of the automobiles or other small vehicles of visitors and the temporary storage of trailered boats belonging to those having recreational vehicles parked in such park the dimensions of which are at least 150 square feet for each recreational vehicle space within such park.

**PARKING SPACE, OFF-STREET.** A space for the parking of automobiles or other small vehicles having a minimum width of nine feet and a minimum length of 20 feet, which is located within the boundaries of a recreational vehicle space or a

common parking and storage area and which in either case has an unobstructed access to an internal street.

**PLOT PLAN.** A graphic representation, drawn to scale, in a horizontal plane, delineating the outlines of the land included in the plan and all proposed use locations, accurately dimensioned, the dimensions also indicating the relation to each use to that adjoining and to the boundary of the property.

**RECREATIONAL VEHICLE.** A vehicular type unit primarily designed as temporary living quarters for recreational camping or travel use that either has its own motive power or is mounted on or towed by another vehicle and requiring no special permit by the Texas Department of Highways and Public Transportation. The basic entities are travel trailers, camping trailers, truck campers, and motor homes. A **RECREATIONAL VEHICLE** is not a mobile home or a HUD-code manufactured dwelling as defined in this chapter.

**RECREATIONAL VEHICLE PARK.** A unified development of 40 or more recreational vehicle spaces arranged on a tract of land which has been zoned for such purpose.

**SERVICE BUILDING.** A structure housing toilet, lavatory, and such other facilities as required by this chapter.

**SITE PLAN.** Same as **PLOT PLAN**.

**ZONING CODE.** The comprehensive zoning ordinance of the city, read, passed, and adopted as Ordinance No. 1100, and all amendments thereto. (Ord. 1760, passed 4-4-93; Am. Ord. 1839, passed 9-8-98)

**Cross-reference:**

*Mobile homes and mobile home parks; definitions, see § 152.01*  
*Zoning code, see Ch. 155*

**§ 120.02 PARKING ON STREETS.**

(A) No person shall park any recreational vehicle over 20 feet in length upon any street in the city for a longer period than four hours.

(B) Any recreational vehicle over 20 feet in length parked on any street shall be parked to and within six inches of the right side of the curb and off the main-traveled portion of such street and facing in the direction in which traffic is designated to travel on the side of the roadway on which it is parked.

(Ord. 1760, passed 4-4-93) Penalty, see § 10.99

**Cross-reference:**

*Parking of vehicles exceeding 25 feet, see § 72.13*

**§ 120.03 RECREATIONAL VEHICLES OUTSIDE LICENSED PARK.**

(A) It shall be unlawful for any person to locate or maintain any recreational vehicle on any private premises or any public premises (other than a public street as provided above in § 120.02 of this chapter) within the corporate limits of the city outside of a licensed recreational vehicle park.

(B) It shall be an exception to the application of the provisions of Division (A) of this section if the recreational vehicle in question is:

(1) Not connected to the water or sanitary sewer system serving the premises on which it is located and is not being occupied as a dwelling whether or not it is so connected; or

(2) Is located in a licensed mobile home park which was in existence on the effective date of this chapter if at least 50% of the mobile home spaces located in such mobile home park are occupied by mobile homes; or,

(3) Is temporarily placed on premises located in a zoning district other than a residential zoning district; and the City Council, upon written

application therefor filed with the City Council, giving the name and address of the applicant, a description of the premises upon which the recreational vehicle is to be located and the purpose for which such recreational vehicle is to be used, has granted permission for such recreational vehicle to be so placed for a specified time, taking in to consideration the necessity for such recreational vehicle to be so placed, the appropriateness of the location, the availability of water and sewer service to which such recreational vehicle shall be connected while so located, the fee which should be charged the applicant and other factors deemed relevant by the City Council. Provided, however, such permit shall not be issued by the City Secretary until the fee designated by the City Council has been paid by the applicant.

(Ord. 1760, passed 4-4-93; Am. Ord. 1813, passed 5-19-97) Penalty, see § 10.99

**§ 120.04 TIE-DOWN REQUIREMENTS.**

Recreational vehicles must be removed from the corporate limits of the city during United States Weather Center hurricane warning or alert periods or, if left within the city, shall be tied down in the manner specified for mobile homes in § 152.06 of this code or stored securely in a permanent building





which meets all the requirements of the applicable standard codes included in this code of ordinances.

(Ord. 1760, passed 4-4-93) Penalty, see § 10.99

***Cross-reference:***

*Anchorage; tie down requirements, see § 152.06*

**RECREATIONAL VEHICLE PARKS**

**§ 120.20 LOCATION OF PARKS.**

Recreational vehicle parks may only be located in a recreational vehicle park zoning district, as defined in Chapter 155 of this code; or, by specific use permit, in any zoning district except in an R-1, R-2, R-3, W-1 and W-1R zoning district.

(Ord. 1760, passed 4-4-93; Am. Ord. 2010-2244, passed 5-4-10) Penalty, see § 10.99

**§ 120.21 LICENSE ISSUANCE; FEE.**

(A) *License required.* It shall be unlawful for any person to operate a recreational vehicle park within the corporate limits of the city unless such person holds a valid license issued in the name of such person for a specific park.

(B) *Application for original license.*

(1) All original applications for an original license to operate a recreational vehicle park in the city shall be on forms furnished by the city, shall be signed by the applicant, accompanied by an affidavit of the applicant as to the truth of the matters contained in the application and accompanied by the annual license fee mentioned below. The application shall contain the following:

(a) The name and address of the applicant and, if the applicant is not the owner of the premises on which the park is located, the name and address of the owner with a copy of a lease to the applicant from the owner being attached.

(b) The legal description, street address, and zoning classification of the park.

(c) A site plan of the park showing all recreational vehicle spaces, structures, streets, driveways, walkways and other service facilities and such other information as the Building Official may reasonably require to establish that the park has been constructed, altered, or expanded according to the permit issued therefor.

(2) If the applicant is not the owner, the applicant must be a lessee of the owner pursuant to a written lease having a remaining term (including any provisions for renewal and extension of such lease) of not less than the term for which the license will be issued.

(3) The Building Official shall grant such application and issue an original license to operate a recreational vehicle park to the applicant unless he finds the information contained in such application to be inaccurate. The original license shall expire on January 2 of the calendar year next following the year in which it is issued.

(C) *Application for license renewal.* An application to renew a license to operate a recreational vehicle park in the city shall be made on forms furnished by the city, shall be signed by the licensee, shall contain such information as the Building Official may reasonably require to gather information reflecting any change in the information required in the original application or last filed renewal application and shall be accompanied by an affidavit of the applicant as to the truth of the matters contained in the application and the annual license fee mentioned below. If the applicant is not the owner, the applicant must be a lessee of the owner pursuant to a written lease having a remaining term (including any provisions for renewal and extension of such lease) of not less than the term for which the license will be renewed. The Building Official shall grant such application unless the information contained therein is inaccurate or unless the Building Official believes that the licensee committed or allowed any violation of the provision of this chapter applicable to such park to occur which has not been corrected. A license which has been suspended pursuant to § 120.26 may not be renewed during the period for which it was suspended.

(D) *License fee.* The annual license fee shall be \$20 per recreational vehicle space. The annual fee for a original license shall be prorated for the balance of the year.

(Ord. 1760, passed 4-4-93) Penalty, see § 10.99

#### § 120.22 TRANSFER OF LICENSE; FEE.

(A) Every person desiring to purchase a recreational vehicle park located in the city shall apply for a transfer of such license on forms to be furnished by the city which shall be signed by the licensee, shall contain such information as the Building Official may reasonably require to assure the Building Official that the park is being and will be operated in compliance with all the requirements of this chapter and shall be accompanied by an affidavit of the applicant as to the truth of the matters contained in the application and the license transfer fee mentioned below. A license which has been suspended as provided in § 120.26 may not be transferred during the period for which it was suspended.

(B) All applications for transfer of a license to operate a recreational vehicle park within the city shall be accompanied by a fee of \$20 per recreational vehicle space.

(Ord. 1760, passed 4-4-93) Penalty, see § 10.99

#### § 120.23 APPEAL FROM DENIAL OF LICENSE.

Any person whose original application for a license to operate a recreational vehicle park is denied and any person whose application to renew or transfer such license has been denied may request and shall be granted a hearing on the matter by the City Council which shall, by majority vote of its members present and voting at any regular or special meeting at which the same appears as an item on the agenda, affirm or reverse the denial of such application by the Building Official. If the decision of the Building Official is reversed by the City Council, the Building Official shall issue the license or any renewal or transfer the

same with such requirements as such majority of the City Council may reasonably require. Any decision of the City Council in such appeal shall be final.

(Ord. 1760, passed 4-4-93)

#### § 120.24 MAINTENANCE AND OPERATION OF PARKS.

(A) *Maintenance of site requirements.* All site requirements set forth in § 7.2C of the zoning code shall be maintained at all time in good working order and condition.

(B) *Fire safety standards.*

(1) *Storage and handling of liquified petroleum gases.* In recreational vehicles parks in which liquified petroleum gases are stored and dispensed, their handling and storage shall comply with requirements of International Fire Code, 2003 Edition adopted by § 92.50.

(2) *Storage and handling of flammable liquids.* In recreational vehicle parks in which gasoline, fuel, oil, or other flammable liquids are stored and/or dispensed, their handling and storage shall comply with the provisions of International Fire Code, 2003 Edition adopted by § 92.50.

(3) *Firefighting.* Approaches to all recreational vehicle spaces shall be kept clear at all times for access by firefighting equipment. The recreational vehicle park shall provide an adequate water supply for Fire Department operations which shall be connected to the city's public water supply system. This shall include standard city fire hydrants located within 500 feet of all recreational vehicle spaces measured along the driveways and internal streets of the recreational vehicle park. These fire hydrants shall be made available for periodic inspection by the Fire Department and Water Department of the city. The adequacy of the water supply for firefighting shall be determined by state standards.

(4) *Barbecue pits, fireplaces, and stoves.*

All fireplaces, wood burning stoves and other forms of outdoor cooking shall be so located, constructed, maintained and used as to minimize fire hazards and smoke nuisance both in the area where used and in neighboring area of the recreational vehicle park. No open fire shall be permitted in the park.

(C) *Solid waste disposal.* The licensee or agent of a recreational vehicle park shall be responsible for the collection and lawful disposal of all solid waste generated in the park as follows:

(1) The licensee or agent of the park shall be responsible for maintaining the entire area of the park free from weeds, dry brush, leaves, high grass, and the accumulation of debris and to prevent the growth of noxious weeds detrimental to health in accordance with the applicable provision of this code of ordinances. All extermination methods and other methods to control insects and pests must conform to the requirements of the Health Director of the city.

(2) All refuse and garbage handling must be in accordance with the applicable city ordinance. One centralized container may be utilized but it must be of sufficient size to handle all trash and garbage generated within the park without having to be emptied more than twice per week.

(D) *Restriction to recreational vehicles.* With the exception of the service buildings, recreational buildings, and other community service buildings including but not being limited to management residence and/or office, repair shops, storage facilities, sanitary and laundry facilities, and indoor recreation areas constructed and maintained pursuant to the provisions of § 7.2C of the zoning code, only recreational vehicles shall be located in any recreational vehicle park.

(E) *Illumination of parks.* The illumination of all common access routes, driveways, internal streets, off-street parking areas, and service buildings within a recreational vehicle park shall meet the reasonable requirements of the Building Official to insure adequate visibility within such areas at night by park residents and guests and public safety personnel who might be called to the park at night.

(F) *Provisions for handicapped.* All buildings, walkways, and other structures in the park shall meet the standards for accessibility by the handicapped established by the applicable city, state, and federal regulations.

(Ord. 1760, passed 4-4-93) Penalty, see § 10.99

*Cross-reference:*

*Solid waste, see Ch. 50*

*International Fire Code adopted, see § 92.50*

*Zoning code, see Ch. 155*

**§ 120.25 INSPECTION OF PARKS.**

The Building Official, the Health Officer, the Fire Chief, and the Police Chief of the city and their respective designees shall have the right and are hereby directed at all reasonable times to enter upon any premises for which a license to operate a recreational vehicle park has been issued for the purpose of determining whether a condition or practice exists thereon in violation of the provisions of this chapter.

(Ord. 1760, passed 4-4-93)

**§ 120.26 VIOLATION; SUSPENSION; APPEAL.**

(A) Whenever, upon inspection of any recreational vehicle park, the Building Official, the Health Officer, the Fire Chief, or the Police Chief of the city or their respective designee finds that conditions or practices exist which are in violation of any provision of this chapter exist at such park, the Building Official shall issue and deliver to the licensee of such park a written notice setting forth each such condition or practice and notifying the licensee that unless such condition or practice is corrected or stopped within the time specified in such notice, which shall be a reasonable time taking into consideration the time required in the opinion of the Building Official for the correction or stopping of such condition or practice, the license of such licensee to operate such park shall be suspended. At the end of such notice period, the Building Official shall reinspect such park and, if all conditions or practices mentioned in such notice have not been corrected or

stopped, the Building Official shall immediately suspend the license of such licensee to operate such park for such period of time as the Building Official deems appropriate.

(B) Any person whose license to operate a recreational vehicle park is suspended shall have the right to have such suspension reviewed by the City Council which shall, by majority vote of its members present and voting at any regular or special meeting at which the same appears as an item on the agenda, affirm or reverse the suspension of such license by the Building Official. If the decision of the Building Official is reversed by the City Council, the City Council may either reinstate the license or suspend it for a lesser period of time than that for which it was suspended by the Building Official. Any decision of the City Council in such appeal shall be final.

(Ord. 1760, passed 4-4-93)